

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

GIUSEPPE MAROTTA et al.,

Plaintiffs

V.

SUFFOLK COUNTY,
Defendant

C.A. NO. 05-10032-MEL

FIFTH AMENDED COMPLAINT AND JURY DEMAND

INTRODUCTION

1. This is an action for declaratory relief and monetary damages brought by employees of the Suffolk County House of Correction, on behalf of themselves and others similarly situated, against Suffolk County for violations of the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* (FLSA).”

JURISDICTION AND VENUE

2. This court has jurisdiction over this case pursuant to 29 U.S.C. § 216(b) and 28 U.S.C. § 1331. Declaratory relief is authorized pursuant to 28 U.S.C. § 2201 and 2202. This court is the proper venue pursuant to 28 U.S.C. § 1391(b).

PARTIES

3. The Plaintiffs Giuseppe Marotta, Alesandro Basile, Gregory Baker, Brian Barden, Joseph Bennett, Crystal Brown, Paul Busa, Christina Chaney, Michael T. Coakley, Sharon Corbin, Daniel Daley, Peter Daly, Lisa Daniel, Paul Demille, Edward J. Denehy, Jr., Neville DePass, Sr., Michael J. Doherty, Billy Dowd, Robert F. Downs,

Richard J. Flynn, Thomas J. Flynn, Timothy Frates, Daniel Galvin, James Glavin, Walter Gonzalez, James T. Gorman, Barbara Gray, Dennis Guilfoyle, Theresa Hall, Michael Haugh, Daniel J. Hickey, Thomas Hogan, Annjanette Howard, Dean Johnson, John Katikakis, James F. Keogh, Bryan Kaiser, Earl Lacaillade, Shawn Leonard, Anthony J. Morganelli, Charles Mattar, Jarrod McCarthy, John T. McGee, Jason McGrane, Brian McPherson, Robert Milisi, Robert Morgan, Joseph A. Munger, Bruce Owens, Jeff Parillo, William Paul Petersen, William S. Power, Richard Powers, Sean Puglsey, Richard Rondeau, Christopher D. Ryan, Troy Salvetti, Edward Sciarratta, Michael Simpson, Janet M. Sinclair, Scott Smith, Brian Solimini, Jay Tully, Kenneth Sheehan, David Stock, Tom Tucci, Steve Varney, Keith Wallace, Antonio Whitfield, Davis Williams, Stephanie Wright, Robert Zoebisch, John Gaeta, Thomas Harris, Michael Nephew, Jonathan Amate, Peter Abban, Nicholas Adams, Alejandro Aguilar, Brian Ahearn, William Ahern, Christopher Alessi, Michael F. Amatucci, Anthony Andrews, Anthony Arcieri III, Edward Ardolino, Charles M. Bailey, Charles Balboni, Michael Balzarini, Edward J. Bannon, Danevna Barbour, Kevin M. Barrett, Roseanne Barrows, Daniel Bausemer, Richard A. Belinsky, Jr., Julio Bello, Yvette Bennett, William Berardinelli, Anthony Bernard, Maureen Bland, Leo Boudreau, Al Boudrow, Wayne Ed Bourgeois, Randy S. Brooks, Frank Burgess, Jr., Latonya Bynum, Patrick Cadigan, Robert T. Call, Victor Caraballo, Dean W. Cardillo, Gerardo Carrasquillo, William A. Carroll, Corry D. Carter, Ninfa Cepeda, Debra Charles, Patricia Cheatham, Anthony Chianca, Benjamin Chin, Sean M. Clark, Sr., John T. Clasby, Dalton G. Clayton, Michael Connaire, John P. Connolly, James G. Coppinger, James F. Coughlin, Felicia Cowan, Mark Coye, William Cranshaw, Alicia Crosby, Thomas Cunniff, Richard F. Curtin, David Dackers, John M.